

Nicholas P. Chiara

INTELLECTUAL PROPERTY LITIGATION ATTORNEY

Nicholas Chiara is an external professional resource providing subject matter consultant services to Leason Ellis. Nick is a registered patent attorney and has been practicing intellectual property law for over twenty years. His experience includes patent litigation, patent opinions, patent prosecution, trademark prosecution and general IP assistance. Nick has litigated patent cases extensively in the Hatch-Waxman arena. He has handled cases from pre-litigation discovery, pleadings, written discovery, depositions, motion practice, trial, post-trial briefing, and appellate briefing. Nick has also litigated trade secret, Lanham Act, and trademark infringement cases. Additionally, Nick has defended patent and trademark practitioners before the Office of Enrollment and Discipline (OED) at the USPTO.

Nick endeavors to breakdown the complexities of intellectual property law to assist clients with protecting their inventions and associated IP. He has drafted, filed, and prosecuted utility, provisional, design and international patent applications in multiple technical disciplines. Nick's experience ranges from pharmaceuticals, medical devices, organic molecules, industrial chemicals, filtration systems, mechanical devices, and consumer products. Nick has a J.D. degree from Hofstra University where he worked on the Labor and Employment Journal. He received a B.A. degree in Chemistry from the College of the Holy Cross. Nick has recently provided CLE presentations on ethics and law at the Nassau County Bar Association.

Selected Articles

- "Updates from the USPTO and OED" (Parts I-IV), Chiara IP Law Blog, 2022
- "Should I Copyright the Trademark in My Patent," Chiara IP Law Blog, 2021
- "Patent v. Trade secrets in the Covid 19 Vaccine Battle," Chiara IP Law Blog, 2021
- "To Boldly Go Where No Patent Law Has Gone Before!" Chiara IP Law Blog, 2021



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Education

- Hofstra University, J.D. 2001
- College of the Holy Cross, B.A., Chemistry, 1997

Bar Admissions

- New York
- Registered Patent Attorney: U.S. Patent and Trademark Office

Court Admissions

- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. Court of Appeals for the Federal Circuit

Experience

- Chiara IP Law PLLC, 2020-present
- Holland & Knight, 2013-2020
- Florek & Endres, 2010- 2013
- Hedman & Costigan, 2002-2010

Selected Speaking Engagements

- Nassau County Bar, "Law and the Metaverse," 2022
- Nassau County Bar, "Hot Topics at the OED and USPTO," 2022
- Manhattan College, "General Intellectual & Patent Bar Lectures," 2008-2020

Selected Cases & Matters

- Endo Pharmaceuticals Inc. et al. v. Actavis Inc. et al., 12-cv-08985 (S.D.N.Y. 2012) (Opana ER).
- Supernus Pharmaceuticals, Inc. v. Actavis Inc. et al. 13-cv-04740 (D.N.J. 2013) (Oxtellar XR)
- AstraZeneca AB, et al. v. KV Pharmaceutical Company, et al. 03-cv-01169 (E.D. Mo. 2003) (Toprol XL)
- Alza Corporation, et al. v. Impax Laboratories, Inc., et al. 05-cv-00642 (D. Del. 2005) (Concerta)